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14 **Attorneys for Plaintiffs**

15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA
17 WESTERN DIVISION

19 ADIDAS AMERICA, INC., and
20 ADIDAS AG,

Plaintiff,

21 v.

22 WAH LEI FOOTWEAR (U.S.A.)
23 CORPORATION, FU JU (U.S.A.)
24 GROUP INC., LA DISCOUNT SHOES,
25 SUNNY SHOES CORP., and TOP
SHOES, INC.

26 Defendants.

Case No.: CV08-04969-JFW

**FINAL JUDGMENT AND
PERMANENT INJUNCTION ON
CONSENT REGARDING SUNNY
SHOES CORP.**

1 This Court, having considered the Complaint on file in this action, and
2 Defendant Sunny Shoes Corp. (“Sunny Shoes”), a California corporation, having
3 consented to the terms of the judgment and permanent injunction set forth below,
4 this Court hereby finds as follows:

5 1. Plaintiff adidas AG owns and adidas America, Inc. extensively uses the
6 Three-Stripe trademark (the “Three-Stripe Mark”), which is covered by valid U.S.
7 Trademark Registration Nos. 870,136, 1,815,956, 1,833,868, 2,016,963, 2,058,619,
8 2,278,589, 2,278,591, 2,284,308, 2,909,861, 2,999,646, 3,029,127, 3,029,129,
9 3,029,135, 3,087,329, and 961,353 (the “Trademark Registrations”). Copies of the
10 Trademark Registrations are attached hereto collectively as Exhibit A.

11 2. On July 29, 2008, adidas filed a complaint in the instant action claiming,
12 *inter alia*, that Sunny Shoes advertised, distributed, offered for sale and sold footwear
13 bearing four parallel stripes in a manner that infringes adidas’s rights in and dilutes the
14 distinctive quality of adidas’s Three-Stripe Mark (the “Infringing Footwear”). A
15 photograph of a representative example of the Infringing Footwear is attached hereto
16 as Exhibit B.

17 3. The Court has jurisdiction over the subject matter of this action and over
18 Sunny Shoes and venue in this action is proper in this judicial district.

19 **IT IS HEREBY ORDERED** that:

20 1. Judgment shall be entered against Defendant Sunny Shoes as to each of
21 the claims asserted by adidas against it.

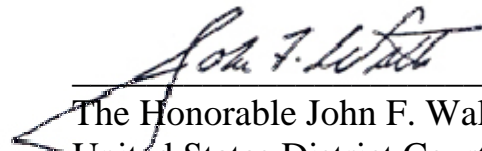
22 2. Sunny Shoes and all its agents, officers, employees, representatives,
23 successors, assigns, attorneys, and all other persons acting for, with, by, through, or
24 under authority from Sunny Shoes, or in concert or participation with Sunny Shoes,
25 and each of them, be PERMANENTLY ENJOINED and RESTRAINED, from:
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- a. manufacturing, selling, offering for sale, advertising, promoting, distributing or displaying the Infringing Footwear;
- b. manufacturing, selling, offering for sale, advertising, promoting, distributing or displaying any other footwear bearing the Three-Stripe Mark or any other confusingly similar imitation of adidas's Three-Stripe Mark, including without limitation any footwear having a design, mark, or feature on the side of the upper that consists of (1) the Three-Stripe Mark (in a similar position, size and spacing as depicted in the Trademark Registrations) with one additional stripe; or (2) the Three-Stripe Mark (in a similar position, size and spacing as depicted in the Trademark Registrations) less one of the three stripes;

3. The parties shall bear their own costs, including attorneys' fees.

4. The Court shall have continuing jurisdiction to enforce the provisions of the permanent injunction entered herein.

IT IS SO ORDERED, this 19th day of September, 2008.


The Honorable John F. Walter, Judge
United States District Court